



PLANNING COMMISSION AGENDA REPORT

III. 8.

MEETING DATE: SEPTEMBER 26, 2005

ITEM NUMBER

**SUBJECT: PLANNING APPLICATION PA-05-19/ VESTING TENTATIVE TRACT MAP VT-16883/
MINOR MODIFICATION MM-05-34 FOR 8-FOOT HIGH PERIMETER BLOCK WALL AT
2436 NEWPORT BOULEVARD**

DATE: SEPTEMBER 13, 2005

**FOR FURTHER INFORMATION CONTACT: CLAIRE L. FLYNN, AICP, SENIOR PLANNER
(714) 754-5278**

DESCRIPTION

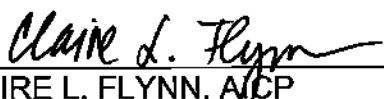
The proposed project involves the following: (1) Design Review PA-05-19 for a nine unit single-family detached common-interest development; (2) Vesting Tentative Tract Map VT-16883 for the subdivision of the site into 9 numbered lots and one lettered lot; (3) minor modification for 8-foot high perimeter block wall.

APPLICANT

Darwin K. Pearson, property owner.

RECOMMENDATION

Approve the proposed project, subject to conditions and mitigation measures, by adoption of the attached Planning Commission resolution.



CLAIRE L. FLYNN, AICP
Senior Planner



R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 2436 Newport Boulevard Application Number: PA-05-19/VT-16883
 Request: Design Review for 9-unit small lot subdivision / common-interest development
SUBJECT PROPERTY: **SURROUNDING PROPERTY:**
 Zone: R2-MD North: Single-room Occupancy Motel
 General Plan: Commercial Residential South: Comfort Inn Motel
 Lot Dimensions: 132 ft. x 300 ft. East: R2-MD Multi-Family Residential
 Lot Area: 39,600 sq.ft. West: Newport Blvd/55 Freeway
 Existing Development: commercial office building & storage units

DEVELOPMENT STANDARD COMPARISON

Development Standard	City Requirement	Proposed Project
General Plan – Med Density Res	12 du/ac	9 du/ac
Zone – R2-MD	1 du per 3,630 sf = 10 dwelling units	1 du per 4,400 sq.ft. = 9 dwelling units
Lot Size – Development Lot		
Lot Width	100 ft.	132 ft.
Lot Area	12,000 sf	39,600 sq.ft.
Lot Size – Individual Dwelling Unit Lots		
Lot Area	3,000 sq.ft./ 3,500 sq.ft. avg.	3,000 sq.ft. / 3,501 sq.ft. avg.
Building Coverage – Overall Project:		
Buildings & Paving	max. 60% (23,760 sf)	57% (22,708 sf)
Open Space	min. 40% (15,840 sf)	43% (16,896 sf)
TOTAL	100% (39,600 sf)	100% (39,600 sf)
Building Coverage – Individual Units:		
Buildings & Paving	max. 60%	47% to max. 60%
Open Space	Min. 40%	Min. 40% to 53%
TOTAL	100%	100%
Min. private open space lot	min. 15' dimension / min. 400 sf	min. 15' min. dimension/min. 400 sf
Rear Yard Coverage	max. 25% of rear yard area	max. 25% of rear yard area
Setbacks for Development Lot		
Front (Newport Boulevard)	20'	20'
Side (left/right) – 1 st story	Min. 5' / 5'	5' / 5'
Side (left/right) – 2 nd story	10' avg. / 10' avg	5' / 5'
Street Side	min. 10'	NA
Rear (interior)	min. 10' first story/ min. 20' second story	11' first story / 20' second story
Ratio of 2 nd floor to 1 st floor ¹	80%	78% (Plan 1) / 85% (Plan 2) ¹
Distance between buildings	min. 10'	10'
Building Height	2 stories / max. 27'	2 stories / 25'6"
Chimney Height	29'	28'
Parking:		
Covered (garage)	2 per unit / 18 total	2 per unit / 18 total
Open	2 per unit / 18 total	2 per unit / 18 total
Guest	N.A.	N.A.
TOTAL	36 spaces	36 spaces
Driveway Width:	Min. 16 ft.	18 ft.
Landscape parkways; private street/driveways	combined width of 10 feet, min. 3-feet on one side	combined width of 10 feet, min. 4-feet on one side
Block Wall Height	Max. 6' in height	8' in height ²
¹ Residential Design Guideline – Not a Code Requirement. ² Design Guideline only. Without the inclusion of the vaulted ceiling area, this ratio would be 72%. ² Minor modification required for increased block wall height for noise mitigation, as required by Noise Study.		
CEQA STATUS: Mitigated Negative Declaration; FINAL ACTION: Planning Commission		

BACKGROUND

On May 6, 2004, City Council approved a rezone of the property from Local Business District (C1) to Multi-Family Residential, Medium Density (R2-MD). The R2-MD zoning classification would allow a maximum of 10 dwelling units on the site (one dwelling unit per 3,630 sq.ft. of parcel area). Since the R2-MD zoning is a compatible zoning district with the Commercial Residential General Plan designation, a General Plan amendment was not required. The proposed project is also located in the Newport Boulevard Specific Plan.

ANALYSIS

Project Location

The property located at 2436 Newport Boulevard is approximately one acre in size and is located in the Newport Boulevard Specific Plan area (Attachment 1). The existing buildings on the property include an office building (1,114 sq.ft.) and an eleven-unit storage building (5,620 sq.ft.) located at the rear of the property. The office building for "The Engineering Group" was formerly a service station building that was converted in December 1997. The fuel station canopy was redesigned and preserved in place as a design feature.

Project Description

The proposed project involves the following: (1) 9-unit single-family detached common-interest development; (2) vesting tentative tract map for the subdivision of the site into 9 numbered lots and one lettered lot; (3) minor modification for 8-foot high perimeter block wall for noise attenuation purposes.

Design Review

Design reviews are required for projects containing three or more, two-story residences. This allows review of the structures' scale, location of windows, site planning, landscaping, and appearance, with the goal of promoting design excellence while giving consideration to the project's compatibility and consistency with the established residential community. The site plan, floor plans, and elevation drawings are attached (Attachment 3).

The following analysis summarizes the project's consistency with the City's Residential Development Standards and Design Guidelines.

- *Building massing is appropriate for a self-contained residential development.* The project features alternating floor plans and design schemes to create varied massing and form. Additionally, each lot meets the minimum 40 percent open space requirement, and rear setbacks of 15 feet or greater provide adequate light, air, and privacy to adjacent lots.

To minimize second-story mass, the City's residential design guidelines recommend that the second floor not exceed 80% of the first floor and the second story be set back an average of 10 feet from the development lot side property lines. Including the vaulted ceiling area, Plan 2 buildings features an 85% ratio of second floor to first floor square footage. While this slightly exceeds the guideline by five percent, this is a self-contained

project in which the impact of any building mass will be primarily limited to the residents of the project. Additionally, the Plan 2 models are located towards the rear of the property.

- Overall architectural design promotes design excellence and compatibility. The proposed homes do not feature an average side-yard setback of 10 feet along the second story. However, architectural treatments along the side elevations (e.g. window trim in contrasting color, decorative window shutters, brick veneers over stucco, and siding) provide enhancements in the place of physically articulated wall planes. Staff believes that the assorted variation in building materials/colors on the front elevations, (i.e. exposed rafter tails above garage, shakerton shingle siding, brick veneers, and wood-trimmed garage doors, and concrete tile roof), results in a well-designed residential project. Please refer to the color elevations (Attachment 3).
- Minor Modification is required for 8-foot high perimeter block wall. The noise report recommended a minimum 8-foot high block wall to be located along the front half of the property (westerly area). This sound wall would reduce exterior noise levels to 65 dba CNEL, or the maximum noise exposure level allowed by the Costa Mesa 2000 General Plan.

The Zoning Code requires that commercial properties abutting residential properties be setback twice the height of the commercial building. The proposed project would result in legal nonconforming setbacks for the adjoining commercial properties (e.g. Comfort Inn Motel and Newport Senior Villas SRO Motel). A condition of approval requires that the entire perimeter of the property be surrounded by an 8-foot decorative block wall to not only provide noise attenuation but also providing privacy/buffering from the adjacent commercial properties.

- Proposed parking meets City standards. As required by Code, the proposed project features two-car enclosed garages and two open parking spaces on individual driveways for each dwelling unit.
- Landscape Concept Plan features diverse plant palette. The Landscape Concept Plan (Attachment 4) is generally consistent with the City's landscape standards for multi-family residential development. The Concept Plan proposes a diverse plant palette including: New Zealand trees, Peppermint willows, coral trees, and strawberry trees. Different types of ornamental grasses and shrubs are also proposed. The final concept plan shall be consistent with the Newport Boulevard Streetscape Study and Landscape/Sign Guidelines.

Other Topics

- On-site trash collection services to be provided. Multiple-family residential projects containing five or more dwelling units are required to provide trash enclosures. However, Code allows the final review authority to grant an exception to this requirement if the applicant submits a written determination from the Sanitary District and/or any contract trash collection service that on-site trash collection service can be provided to each individual dwelling unit. In this case, Costa Mesa Disposal has indicated in a letter dated August 23, 2005 that on-site trash collection services can be provided.

Vesting Tentative Tract Map VT-16883

As shown in the proposed tentative tract map (Attachment 5), the proposed subdivision involves: (1) combining the two lots at 2436 Newport Boulevard into a one-acre parcel; (2) subdividing the resulting parcel into 9 numbered lots and one common lots.

Lot Number	Lot Size	Description
Lots		
1	3,986 sq.ft.	Plan 1 Model
2, 3, 4, 5	3,484 sq.ft.	Plan 1 Models
6	3,656 sq.ft.	Plan 2 Model
7	3,929 sq.ft.	Plan 2 Model
8, 9	3,000 sq.ft.	Plan 2 Models
A	8,097 sq.ft.	Private Drive & Common Open Space Areas
Minimum Lot Size: 3,000 sq.ft.		
Average Lot Size: 3,501 sq.ft.		

For small-lot subdivisions in an R2-MD zone, Code requires a minimum lot size of 3,000 sq.ft., with an average lot size of 3,500 sq.ft. Lots range in size from 3,000 sq.ft. to 3,986 sq.ft., with an average lot size of 3,501 sq.ft.

Approval of the vesting map allows the project to continue to be subject to the development standards and City fees in place at the time the map was filed, even if standards later become more restrictive or City fees are increased. In this case, the application was filed on May 17, 2005 and will therefore be subject to park fees of \$5,481.72 per single-family residence. A condition of approval requires that these fees be remitted prior to approval of the final tract map.

Consistency with Newport Boulevard Specific Plan

The Newport Boulevard Specific Plan intends to encourage marginal commercial properties to redevelop and to ensure land use compatibility and viability in the plan area. In addition, the plan indicates that the desired product type for residential development is ownership housing which interfaces with any adjacent commercial uses. The proposed project achieves these objectives and is therefore in conformance with the Newport Boulevard Specific Plan.

ENVIRONMENTAL DETERMINATION

Concurrent with the rezone of the project site, the City Council approved an initial study/mitigated negative declaration in July, 2005, pursuant to the California Environmental Quality Act (CEQA). According to the initial study and mitigated negative declaration, which reflect the independent judgment of the City of Costa Mesa, the proposed project could not have a significant effect on the environment. The environmental impacts related to the project-specific impacts a medium-density residential development have been identified, as well as mitigation measures to minimize any significant impacts below a level of significance. The mitigation monitoring program is provided as Exhibit "C" of the draft resolution.

ALTERNATIVES CONSIDERED

Planning Commission has the following alternatives:

1. Approve the proposed project as recommended by Planning staff.
2. Request modifications to the proposed project and/or incorporate additional conditions of approval prior to project approval.

CONCLUSION

The developer is interested in constructing a small-lot, common interest development. Under the R2-MD zoning classification, the one-acre project site has a maximum development potential of 10 dwelling units. The developer is proposing a 9-unit development that would contribute single-family residences to the City's ownership housing stock. Planning Commission approval of a design review and a vesting tentative tract map is required. Environmental impacts could be mitigated to below a level of significance. Staff recommends approval of the proposed project due to conformance with the General Plan, Zoning Code, Newport Boulevard Specific Plan, and Residential Design Guidelines.

Attachments: 1. Vicinity Map
 2. Draft Planning Commission Resolution
 3. Site Plan, Floor Plan, and Elevation Drawings
 4. Landscape Concept Plan
 5. Vesting Tentative Tract Map

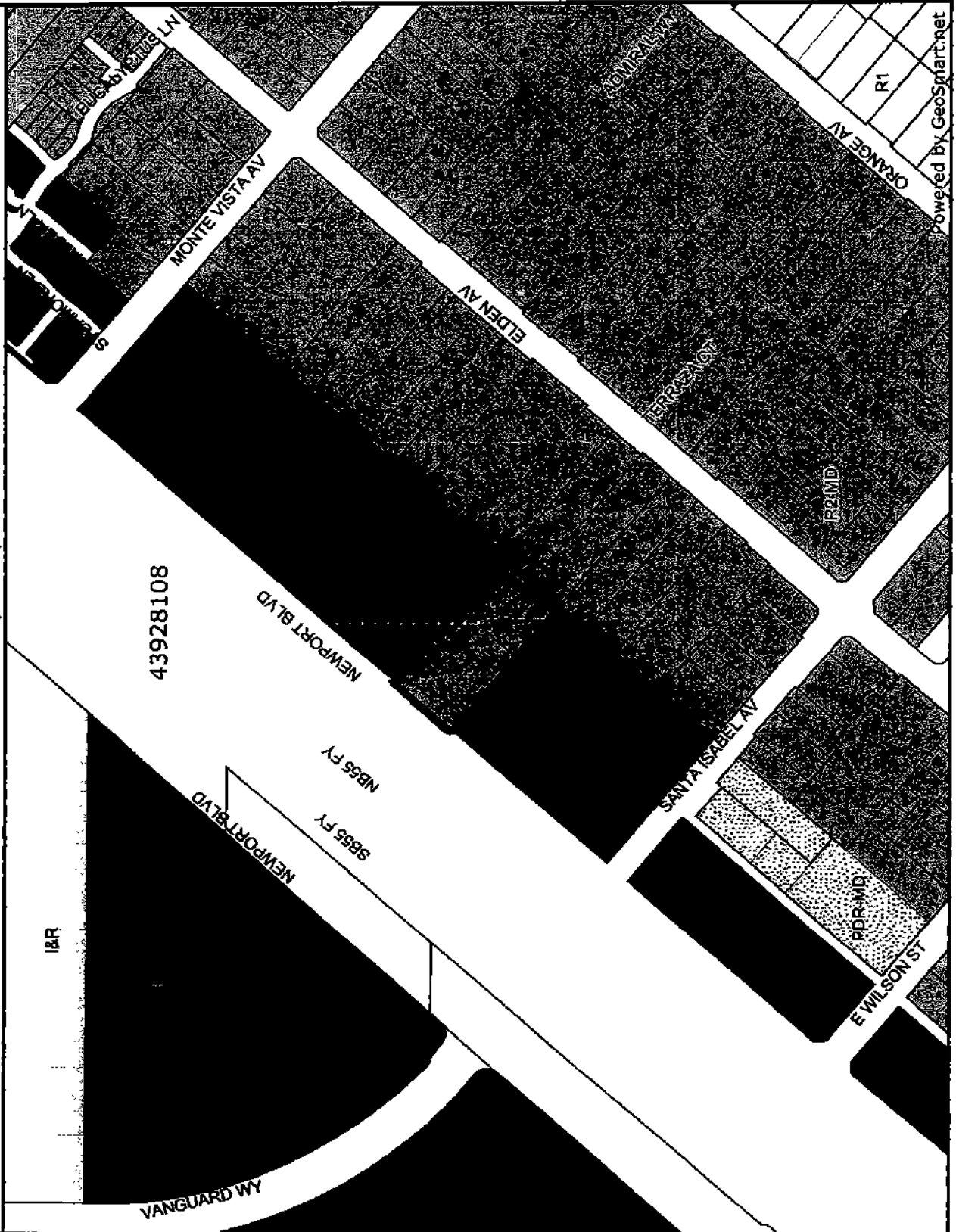
Distribution: Assistant City Attorney
 City Engineer
 Assistant Development Services Director
 Staff (4)
 File (2)

Darwin K. Pearson
 2436 Newport Boulevard
 Costa Mesa, CA 92627

File: 092605PA0519VT16883	Date: 091205	Time: 3:45 p.m.
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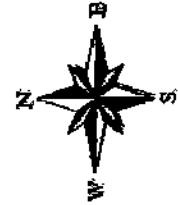
2436 Newport Blvd.

Vicinity Map



Legend

- Identified Features
- Hydrology Channels
- Street Names
- Parcel Lines
- City Boundary
- Zoning
- AP
- C1
- C1-S
- C2
- CL
- I&R
- I&R-S
- MG
- MP
- P
- POC
- POI
- PDR-HD
- PDR-LD
- PDR-MD
- PDR-NCM
- R1
- R2-HD
- R2-MD
- R3
- TC



ATTACHMENT 2

RESOLUTION NO. PC-05-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA APPROVING: PLANNING
APPLICATION PA-05-19, VESTING TENTATIVE TRACT
MAP VT-16883, AND MINOR MODIFICATION MM-05-34
FOR 8-FOOT HIGH PERIMETER BLOCK WALL AT 2436
NEWPORT BOULEVARD**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Darwin K. Pearson, property owner, with respect to the real property located at 2436 Newport Boulevard, requesting approval of the following: (a) Design Review to construct a 9-unit single-family detached, common-interest development; (b) Vesting Tentative Tract Map VT-16883 for a small-lot subdivision consisting of 9 numbered lots and one lettered lot; and (c) a minor modification for an 8-foot perimeter block wall for noise mitigation (6-foot height allowed; 8-foot height proposed);

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 26, 2005;

WHEREAS, approval of a minor modification for a 8-foot perimeter block wall is required pursuant to Title 13 of the Costa Mesa Municipal Code;

WHEREAS, the proposed project is in conformance to the City's General Plan, Zoning Code, and Newport Boulevard Specific Plan.

WHEREAS, a previously approved initial study/mitigated negative declaration evaluated the environmental impacts of a medium-density residential development on the project site, and the proposed project shall comply with the mitigation measures set forth in the environmental document (Exhibit C);

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions contained in Exhibit "B", and Mitigation Monitoring Program from a previously adopted IS/MND provided in Exhibit "C", the

Planning Commission hereby **APPROVES** Planning Application PA-05-19, Vesting Tentative Tract Map VT -16883, and a minor modification for an 8-foot tall perimeter block wall with respect to the property described above.

BE IT FURTHER RESOLVED that the Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Planning Application PA-05-19/Vesting Tentative Tract Map VT-16883 and upon developer's compliance with each and all of the conditions contained in Exhibit "B" and mitigation measures in Exhibit "C." Any approval granted by this resolution shall be subject to review, modification or revocation

PASSED AND ADOPTED this 26th day of September, 2005.

Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on September 26, 2005, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed small lot subdivision and related improvements provide for residential home ownership and are in conformance with the goals, policies, and objectives of the Costa Mesa General Plan and Newport Boulevard Specific Plan and provisions of the Zoning Code.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
 - a. The proposed development and use is compatible and harmonious with uses both onsite as well as those on surrounding properties. Specifically, the proposed medium-density residential development is considered a compatible land use to the adjacent motel uses. Perimeter block walls will provide noise attenuation and privacy from Newport Boulevard and from the adjacent commercial uses.
 - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered. The project shall provide a standard residential drive approach from Newport Boulevard that shall be ungated to avoid vehicle queuing from the public street.
 - c. The planning application is for a project-specific case and does not establish a precedent for future development.
 - d. The cumulative effects of all planning applications have been considered.
- C. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that the project meets the purpose and intent of the Residential Design Guidelines. First, although the Plan 2 units exceed the 80 percent second floor to first floor ratio recommended in the City's Residential Design Guidelines by five percent, this is considered a minor difference given that these dwelling units are located towards the rear of the property and will be primarily visible from within the development and not the public street. Second, architectural treatments along the side elevations (window trim in contrasting color, decorative window shutters, brick veneers over stucco, and siding) provide enhancements in the place of physically articulated wall planes. Third, the maximum 26' foot building height and great variation in building materials/colors on the front elevations, (i.e. exposed rafter tails above garage, shakerton shingle siding, brick veneers, and wood-trimmed garage doors, and concrete tile roof), result in a well-designed residential project. This project is considered similar in scale and design with the prevailing character of neighborhoods in the area, which is predominantly older residences with a combination of single-story and two-story structures.
- D. With regard to the minor modification, the proposed 8-foot perimeter block wall does comply with Costa Mesa Municipal Code Section 13-29(g)(6) because the additional

2-foot height provides noise attenuation from Newport Boulevard ambient traffic noise, as well as additional noise buffering from adjacent commercial properties. The approval of the minor modification for the 8-foot block wall is required for noise mitigation. The sound wall shall protect the health, safety, and general welfare of persons residing within the common-interest development project from exterior noise levels that may exceed the City's Noise Ordinance.

- E. Based on a written determination by the Sanitary District, on-site trash collection service can be provided for the project and an exception from the requirement to provide a residential trash enclosure may be granted in accordance with Costa Mesa Municipal Code Section 13-73(a)(1).
- F. An initial study was prepared, pursuant to the California Environmental Quality Act. According to the Initial Study and Mitigated Negative Declaration, which reflect the independent judgment of the City of Costa Mesa, the proposed project could not have a significant effect on the environment. Mitigation measures for water quality, and noise impacts are set forth in the mitigation monitoring program. Furthermore, less than significant impacts are also minimized by compliance with standard conditions of approval and code requirements. An approved initial study/mitigated declaration considered the environmental impacts of residential development on the site and provided a mitigation measure with regard to noise impacts. The provision of an 8-foot perimeter block wall as shown on the site plan complies with this mitigation measure.
- G. The project is exempt from Chapter IX, Article 11 of the Costa Mesa Municipal Code. Given that the proposed residential project involves redevelopment of a commercial site, the Transportation Services Division has determined that the proposed project is not subject to the San Joaquin Hills Transportation Corridor fees, traffic impact fees, or dedication requirements.
- H. The provision of an onsite fire hydrant and fire sprinklers in all residential structures shall address the existing deficiency of fire hydrants in the surrounding area.
- I. The subject property is physically suitable to accommodate Vesting Tentative Tract Map VT-16883 in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- J. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- K. The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.

- L. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- M. The evidence presented in the record as a whole indicates that the project will not individually or cumulatively have an adverse affect on wildlife resources or habitat. There project site consists of ornamental, non-native vegetation and does not contain, nor is in proximity to, any sensitive habitat areas.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng. 1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc, shall be blueprinted on the site plan and on all floor plans in the working drawings.
2. The project shall comply with the project design features, conditions, and mitigation measures of the Initial Study/Mitigated Negative Declaration prepared for this project and as listed in the attached Mitigation Monitoring Program (Exhibit "C").
3. Prior to issuance of building permits, applicant shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
4. All residential units shall be "for sale" units. The site shall not be developed for apartments or other non owner-occupied units.
5. Street addresses shall be displayed on the front of each unit and on a complex identification sign visible from the street. Street address numerals shall be a minimum 6 inches in height with not less than 1/2-inch stroke and shall contrast sharply with the background.
6. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site stormwater flow to Newport Boulevard, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties. No cross lot drainage to adjacent properties shall be allowed.
7. To avoid an alley-like appearance, the private street shall not be entirely paved with asphalt nor be developed with a center concrete swale. The entry/exit drive of the private street at Newport Boulevard shall be made of stamped concrete or pervious pavers. The final landscape concept plan shall indicate the landscape palette and the design/material of paved areas, and the landscape/hardscape plan shall be approved by the Planning Division prior to issuance of building permits.
8. The site plan submitted with initial working drawings shall contain a notation specifying that the project is a small-lot common interest

- development.
9. The developer shall contact Comcast (cable television) at 200 Paularino, Costa Mesa, (888) 255-5789 prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
 10. The conditions of approval, ordinance and code provisions of PA-05-19/VT-16883 shall be blueprinted on the face of the site plan.
 11. The applicant shall contact the Planning Division to arrange Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 12. Block walls shall be provided around the entire perimeter of the project site. The proposed 8-foot high block wall along Newport Boulevard shall conform with the City's requirements for block walls located along major arterials (e.g. slumpstone/orco la paz). All other new block walls shall be decorative block, subject to approval by the Planning Division. The wall(s) shall have a finished quality on both sides. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them.
 13. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
 14. Houses shall use low reflective glass and building materials to minimize daytime glare to the fullest extent possible.
 15. Developer shall submit floor plans for all models, including reverse plan models, with the working drawings for plan check.
 16. The common area south of Lot 6 shall be maintained as an open landscaped space without any street furniture or playground equipment. Due to its proximity to the common driveway, any active recreational use of this space shall be prohibited.
 17. There shall be no nighttime lighting, except for security purposes, of the common areas. Any lighting under the control of the developer shall be directed in such a manner so as to not unreasonably interfere with the quiet enjoyment of the nearby residences.
 18. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
 19. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted equipment shall not be located in any landscaped setback visible from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning Staff.
 20. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m.

and 6 p.m. on Saturday. Construction is prohibited on Sundays and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.

21. Prior to issuance of building permits, the developer shall provide the Conditions, Covenants, and Restrictions (CC&Rs) to the Development Services Director and City Attorney's office for review. The CC&Rs must be in a form and substance acceptable to, and shall be approved by the Development Services Director and City Attorney's office. The CC&Rs shall contain provisions that effectively implement the following parking-related requirements: (1) require that the homeowner's association (HOA) require homeowners to maintain a 20' x 20' unobstructed area in their enclosed garages to allow parking of two vehicles instead of any other purpose (e.g. storage) and (2) require that the HOA contract with a towing service to enforce the parking regulations. Any subsequent revisions to the CC&Rs related to these parking provisions must be reviewed and approved by the City Attorney's office and the Development Services Director before they become effective. to the review/approval of the Planning Division and City Attorney's office.
22. Garages for individuals units shall be equipped with automatic garage door openers and roll-up garage doors.
23. Non-deciduous canopy trees shall be planted throughout the perimeter of the project site in sufficient number as to buffer and screen the development from adjacent commercial properties. Tree species and number shall be reviewed by the Planning Division and indicated on the landscape plans submitted to the Planning Division for plan check.
24. Vehicle entry gates shall be prohibited for the proposed project, unless a redesign of the site plan is approved by the Planning and Transportation Divisions. Any proposed gate shall be setback a minimum distance of 20 feet from the property line on Newport Boulevard and shall require modification to the individual driveway of Lot 1. Swinging gates shall fully open inward and accommodate two-way traffic flow. Pavement markings shall be provided behind swinging gates showing a clear area required for gate to safely open without interference from vehicular traffic.
25. Final tract map shall be approved and recorded prior to issuance of building permits.
- Trans. 26. Site plan submitted with the working drawings for plan check shall be revised to reflect the ultimate Right-of-Way width on Newport Boulevard as 30 feet from centerline to property line.
- Eng. 27. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.
28. Developer shall comply with any conditions of approval as indicated in the City Engineer's letter (attached).

- Police 29. A list of security recommendations has been provided by the Police Department for the applicant's consideration.

EXHIBIT "C"
Mitigation Monitoring Program

Environmental Section	Timing	Responsible Party
<u>Standard Conditions, Best Management Practices, and Requirements</u>		
Land Use/Planning: Pursuant to the Costa Mesa Municipal Code, design review is required for any future residential development proposal (maximum 10 dwelling units).	Prior to final determination of proposed project	City of Costa Mesa
<u>Mitigation Measures</u>		
<p><i>Hazards/Hazardous Materials:</i></p> <p><u>Mitigation Measure 1</u> - Prior to the issuance to a grading permit for proposed residential development, the developer shall obtain well destruction permits from the County of Orange and properly destroy any remaining monitoring wells. This work shall be conducted by a C-57 licensed drilling contractor. The developer shall submit a letter from the County of Orange Health Care Agency indicating that remedial action was completed and the wells were properly destroyed.</p> <p><i>Noise:</i></p> <p><u>Mitigation Measure 2</u> - Prior to the issuance of precise grading permits for the residential development, a detailed exterior acoustical engineering study shall be prepared by a qualified acoustical engineer and submitted to the City of Costa Mesa to determine the final heights and locations of noise barriers required to meet the City's noise standards for exterior private residential living areas. Both the City's 65 CNEL exterior noise standards and the Costa Mesa Noise Ordinance (Municipal Code Chapter XIII Noise Control) standards shall be addressed. The 65 CNEL noise standard shall be addressed for exterior residential living areas exposed to noise levels in excess of 65 CNEL. The acoustical engineering study shall finalize these barrier heights and locations based on precise grading and final building plans. To be effective, noise barriers will be required to have a surface density of at least 3.5 pounds per square foot and have no openings or cracks. They may be a solid wall, an earthen berm, or a combination of the two. Noise barriers are proposed to be located in the front portion of the property and along the side/rear property lines, or in any other appropriate location as determined by an acoustical engineer. They may be constructed of wood studs with stucco exterior, any masonry material, or a material that is less visually intrusive such as 1/4-inch plate glass or 5/8-inch Plexiglas. The acoustical engineering study, including calculations, shall be submitted to the City of Costa Mesa prior to the issuance of a precise grading permit. The applicant shall implement the</p>	<p>Prior to issuance of grading permit</p> <p>Prior to issuance of grading permit</p>	<p>Developer</p> <p>Developer</p>

<p>recommendations of the acoustical engineering study into the project plans prior to the issuance of a building permit for freestanding noise barriers.</p> <p>Mitigation Measure 3 - Prior to the issuance of a precise grading permit for residential development, a detailed interior acoustical engineering study shall be prepared by a qualified acoustical engineer and submitted to the City of Costa Mesa to demonstrate compliance with the City of Costa Mesa and California Code Regulations Title 24 interior noise requirements. In addition, the acoustical engineering report shall also demonstrate compliance with the Costa Mesa Noise Ordinance interior noise standards for the residences significantly impacted by parking lot noise. Preliminary calculations show that the standards will be achievable with mechanical ventilation to allow windows to remain closed and, potentially, upgraded windows. The acoustical engineering report shall specify any upgrades to the standard construction required to meet such standards. The acoustical engineering study shall be prepared under the supervision of a person experienced in the field of acoustical engineering. The acoustical engineering study including calculations shall be submitted to the City of Costa Mesa prior to the issuance of a grading permit. The applicant shall implement the recommendations of the study into the project plans prior to the issuance of a building permit.</p>	<p>Prior to issuance of grading permit</p>	<p>Developer</p>
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CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

FROM THE DEPARTMENT OF PUBLIC SERVICES/ENGINEERING DIVISION

September 12, 2005

Costa Mesa Planning Commission
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

SUBJECT: Vesting Tentative Tract Map No. 16883
LOCATION: 2463 Newport Blvd.


Dear Commissioners:

Vesting Tentative Tract Map No. 16883 as furnished by the Planning Division for review by the Public Services Department, consists of two (2) lots to be subdivided into ten (10) lots, nine (9) lots for single family residential use and one (1) lot for common use. Tentative Tract Map No. 16883 meets with the approval of the Public Services Department, subject to the following conditions:

1. The Tract shall be developed in full compliance with the State Map Act and the City of Costa Mesa Municipal Code (C.C.M.M.C.), except as authorized by the Costa Mesa City Council and/or Planning Commission. The attention of the Subdivider and his engineer is directed to Section 13-208 through 13-261 inclusive, of the Municipal Code.
2. Two copies of the Final Tract Map shall be submitted to the Engineering Division for checking. Map check fee shall be paid per C.C.M.M.C. Section 13-231.
3. The Final Tract Map and all off-site improvements required to be made, or installed by the Subdivider, shall meet the approval of the City Engineer. Prior to any on-site/off-site construction, permits shall be obtained from the City of Costa Mesa Engineering Division.
4. The Subdivider shall submit an off-site plan to the Engineering Division at the time of submittal of the Final Tract Map. Off-site plan check fee shall be paid per C.C.M.M.C. Section 13-231.
5. In accordance with C.C.M.M.C. Section 13-230, the Subdivider shall submit street improvement plans at the time of first submittal of the Final Tract Map and pay plan check fee per C.C.M.M.C. Section 13-231.
6. The Subdivider shall conduct soil investigations and provide the results to the City of Costa Mesa Engineering and Building Divisions pursuant to Ordinance 66-26.
7. A current copy of the title search shall be submitted to the Engineering Division with the first submittal of the Final Tract Map.

8. Dedicate an ingress/egress easement to the City over Lot "1" for emergency and public security vehicles purposes only. Maintenance of Lot "1" shall be the sole responsibility of a Homeowners Association formed to conform to Section 13-41 (e) of the C.C.M.M.C.
9. All public streets shall be fully improved per the C.C.M.M.C., City of Costa Mesa Standard Drawings, and all requirements of the City Engineer.
10. All public streets construction performed as a part of this development shall present a new and uniform appearance prior to the acceptance of the improvements by the City.
11. The elevations shown on all plans shall be on Orange County benchmark datum.
12. The Subdivider shall submit a cash deposit of \$750 for street sweeping at time of issuance of a Construction Access permit. Full amount of deposit shall be maintained on a monthly basis prior to and during construction until completion of project.
13. There shall be four feet of clear sidewalk behind all immovable objects, i.e., light standards, mail boxes, telephone poles, fire hydrants, etc.
14. Off-site driveway approaches shall be installed and shall be constructed of P.C.C. per City of Costa Mesa, ADA, and Title 24 Standards. All off-site driveway locations and driveway design shall meet the approval of the City Engineer.
15. Any existing drives or curb depressions that will not be used shall be removed and replaced with full height curb and sidewalk.
16. The Subdivider's engineers shall furnish to the Engineering Division a storm runoff study which provides for by-pass of nuisance water and on-site detention for a 25-year storm event for a 24-hour period, showing existing and proposed facilities and the method of draining this area and tributary areas without exceeding the capacity of any street or drainage facility on-site or off-site. This study to be furnished with the first submittal of the Final Tract Map. Cross lot drainage shall not occur.
17. Ownership and maintenance of the private on-site drainage facilities and parkway culverts and other common areas shall be transferred by the owner to the Homeowner Association to be formed pursuant to C.C.M.M.C. Section 13-41 (c) and said association shall indemnify and hold harmless the City for any liability arising out of or in any way connected with the connection of any private drainage system with the City's drainage system and shall execute and deliver to the City the standard indemnity agreement required for such conditions prior to issuance of permits.
18. Emergency outlets shall be provided at all sump locations along the storm system. Emergency outlets shall be designed to convey the 100-year storm flow.
19. Vehicular and pedestrian access rights to Newport Boulevard shall be released and relinquished to the City of Costa Mesa except at approved access locations.
20. A Subdivision Agreement and deposit shall be submitted to the City Engineer to guarantee construction of off-site improvements. The cash deposit or surety bond amount shall be determined by the City Engineer.
21. Fulfill the drainage fee ordinance requirements prior to the approval of the Tract Map.

22. Street lighting shall be provided as required by the Public Services Department, Transportation Services Division.
23. Sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.
24. Water system improvements shall meet the approval of Mesa Consolidated Water District; call (949) 631-1200 for information.
25. Dedicate easements as needed for public utilities.
26. Prior to occupancy on the Tract, the surveyor/engineer shall submit to the City Engineer a Digital Graphic File, reproducible mylar of the recorded Tract Map, and approved off-site plan and nine copies of the recorded Tract Map.
27. Submit Traffic Mitigation fee as determined by the Transportation Services Manager.
28. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.
29. Prior to recordation of a Final Tract Map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital-graphics file of said map in a manner described in Subarticle 12, Section 7-9-337 of the Orange County Subdivision Code.
30. Survey monuments shall be preserved and referenced before construction and replaced after construction, pursuant to Section 8771 of the Business and Profession Code.
31. Prior to recordation of a Final Tract Map, submit required cash deposit or surety bond to guarantee monumentation. Deposit amount to be determined by the City Engineer.

Sincerely,

Fariba Fazeli, P. E.
Acting City Engineer

/ch (Engr. 2005/Planning Commission Tract 16883)





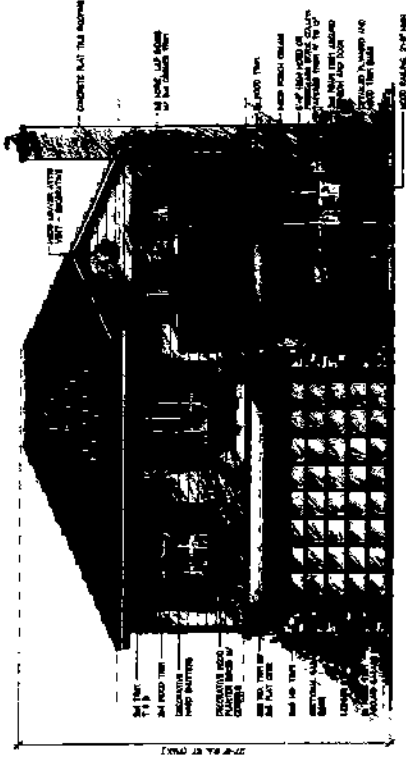
Amesga
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REFERENCES

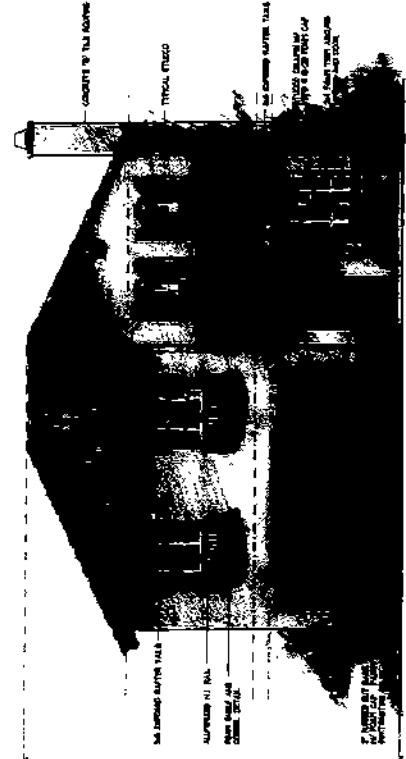
NINE SINGLE FAMILY RESIDENCES NEWPORT BLVD., CITY OF COSTA MESA

DATE: 21 JUNE 04
SCALE: NOTED
DESIGN: CAP
JOB NO. 2004-05

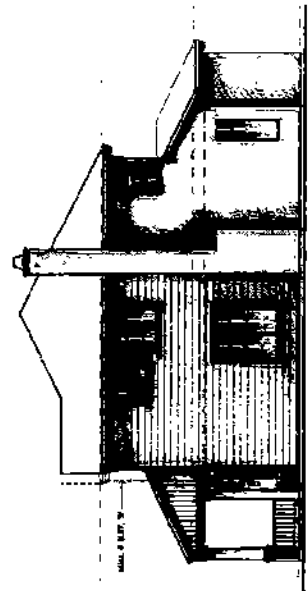
SHEET	4	OF 4 SHEETS
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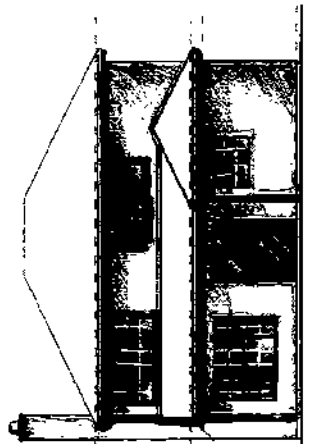
FRONT ELEVATION 2A



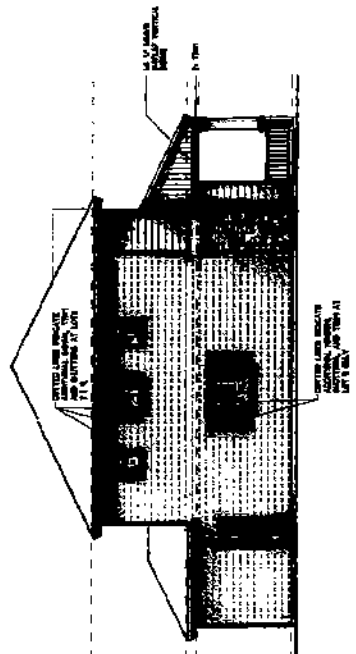
FRONT ELEVATION 2B



RIGHT SIDE



REAR



LEFT SIDE

FOR: PACIFIC NEWPORT 2436, LLC...
2436 NEWPORT BLVD. COSTA MESA CA 92627 (949) 631-9015 Fax 631-9016

'PRELIMINARY PLANTING PLAN'

DONNA DAVIS DESIGN (949) 254-6512 BOX 8234 ORANGE CA 92657

PLANTING NOTES RE: SOIL PREP, GRADING,
DRAINAGE, TREE SHADING

REFER TO SUBJECT
WESTERN CARPENTER

USE BEST PRACTICE PER LABEL,
FERTILIZER PHOSPHATE AND
GROWTH

"PLUS"

SMALL PLANTER AREAS
TO RECEIVE 5 GAL SHRUBS,
1 GAL EVERGREEN PERENNIAL,
GR. COVER PLANTS @ 10' O.C.
SPACING 1/5 GAL @ 3' O.C.,
15 GAL @ 9' O.C.

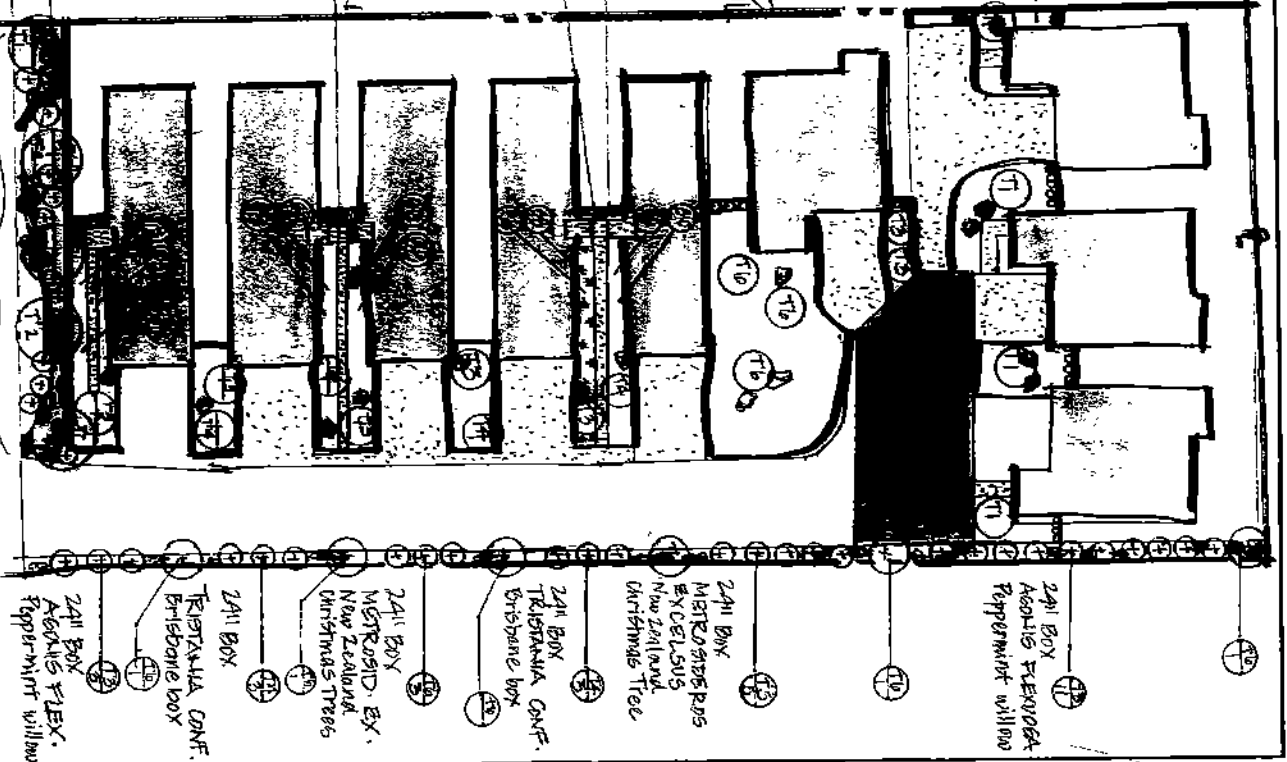
SEE ATTACHED 'PLANT PALETTE'
FOR BOTANICAL AND COMMON
NAMES OF TREES, SHRUBS,
GROUND COVERS, VINES, PERENNIALS

5 GALLON
POTTED NIGERLANS

UNDERPLANTINGS:
CONFESSIONS, ALTERNATING,
TO SUIT RESIDENCE STYLE -
a) COLONIAL
b) SPANISH
c) SANTA BARBARA
d) CAPE COD
e) 15 GALLON
POTTED NIGERLANS

SMALL
SIDE YARDS
SEE PG. 2
PRELIM. PLANTING PLAN

"DEY CREEK"
VARIOUS SIZED
SHRUBS, PERENNIALS,
& CONCRETE-IN ROCKS, to be det.



"ORNAMENTAL" GRASS BURNS, ALTERNATING HEIGHTS 18" TO 24"
OPTIONAL "SPONTANEOUS" LIRIOPE ORIENTALIS, PANT & BACK OF DRY CREEK
and other ornamental grasses & bulbs like IRIS, EVERSSEN

24" BOX
AGAVE FLEXIOSA
POTTED WITH 100

24" BOX
METROSTYCHIS
EXCEL 505
New Zealand
Christmas Tree

24" BOX
TRISTEMA CONF.
Brisbane box

24" BOX
METROSTYCHIS
EXCEL 505
New Zealand
Christmas Tree

24" BOX
TRISTEMA CONF.
Brisbane box

24" BOX
AGAVE FLEXIOSA
POTTED WITH 100

REVISIONS	BY
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NINE SINGLE FAMILY RESIDENCES
NEWPORT BLVD. CITY OF COSTA MESA

SITE NOTES

1. PROJECT PROPERTY LINE
2. LOCATE ALL WALLS (ON THE 1/2" OF LOT A)
3. LOCATE LINE OF 2ND FLOOR
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100. LOCATE LINE OF 2ND FLOOR

PROJECT DATA

OWNER: PACIFIC NEWPORT LLC

3400 NEWPORT BLVD.

COSTA MESA, CA 92627

DANIEL PEARSON

(949) 531-9016

ARCHITECT: DAVID L. AMESON

1510 SAN JUAN DR.

COSTA MESA, CA 92627

(714) 632-4800

ZONE: R-1

SITE AREA: 38,000 S.F.

LOT AREA: 8,000 S.F.

NET SITE AREA: 31,000 S.F.

LOT TABULATION

NO.	SQ. FOOTAGE
1	3,800 S.F. x 1 = 3,800 S.F.
2	3,800 S.F. x 1 = 3,800 S.F.
3	3,800 S.F. x 1 = 3,800 S.F.
4	3,800 S.F. x 1 = 3,800 S.F.
5	3,800 S.F. x 1 = 3,800 S.F.
6	3,800 S.F. x 1 = 3,800 S.F.
7	3,800 S.F. x 1 = 3,800 S.F.
8	3,800 S.F. x 1 = 3,800 S.F.
9	3,800 S.F. x 1 = 3,800 S.F.
TOTAL:	31,000 S.F.
AVG. LOT:	3,500 S.F.

BUILDING AREA PLAN 1 PLAN 2

1ST FLOOR:	1022
2ND FLOOR:	1022
SUB-TOTAL:	2044
GARAGE:	424
TOTAL:	2468
PONCH:	110
TOTAL:	2578

BUILDING DRIVEWAY

COVERAGE: 11,110 S.F. (45%)

PRIVATE DRIVE: 5,500 S.F. (14%)

LANDSCAPE: 16,400 S.F. (45%)

PARKING: 38 CARS (1.0/UNIT)

14 COVERED

LOT COVERAGE TABULATION

NO.	AREA	COVERAGE	%OPEN
1	3,800 S.F.	1,270 S.F.	33%
2	3,800 S.F.	1,270 S.F.	33%
3	3,800 S.F.	1,270 S.F.	33%
4	3,800 S.F.	1,270 S.F.	33%
5	3,800 S.F.	1,270 S.F.	33%
6	3,800 S.F.	1,270 S.F.	33%
7	3,800 S.F.	1,270 S.F.	33%
8	3,800 S.F.	1,270 S.F.	33%
9	3,800 S.F.	1,270 S.F.	33%

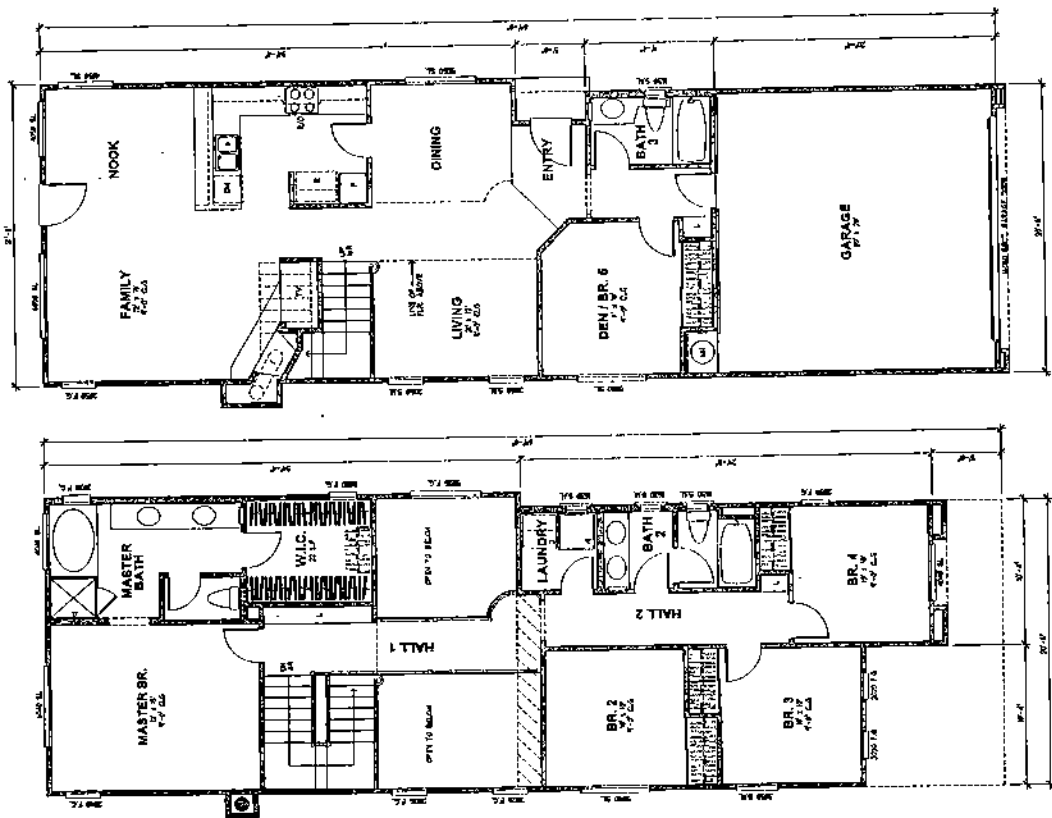
* COVERAGE INCLUDES HOUSE

1ST FLOOR, GARAGE, AND

DRIVEWAY.

NOTE: ALL UNITS SHALL BE

FREE SPRINKLERED.



2ND FLOOR
 (NOT TO SCALE)
 (SEE 1/2" S.D. FOR DETAILS)
 (SEE 1/2" S.D. FOR DETAILS)
 (SEE 1/2" S.D. FOR DETAILS)

FLOOR PLAN 1

ATTACHMENT 3

SITE PLAN

SCALE: 1" = 30'-0"

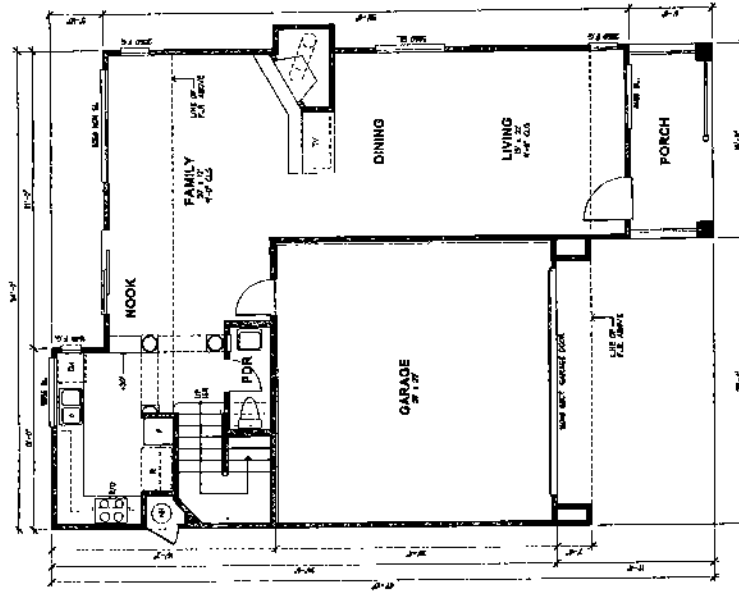


Arneson
Associates
Architecture
& Planning

REVISIONS

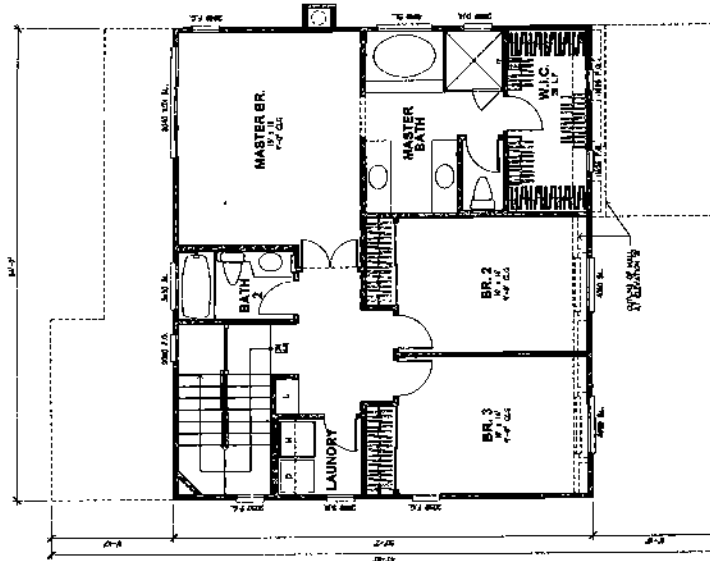
NINE SINGLE FAMILY RESIDENCES
NEWPORT BLVD., CITY OF COSTA MESA

DATE: 21 JUNE 05
SCALE: NOTED
DRAWN: CAP
JOB NO: 2004-85
SHEET
2
OF 1 SHEETS



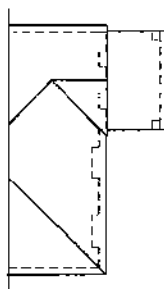
1ST FLOOR

SCALE: 1/8" = 1'-0"



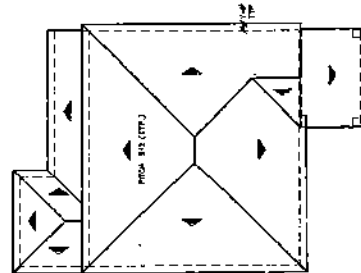
2ND FLOOR
NOT TO SCALE (SEE 1ST FLOOR PLAN)

FLOOR PLAN 2



PART. ROOF PLAN 2B

SCALE: 1/8" = 1'-0"

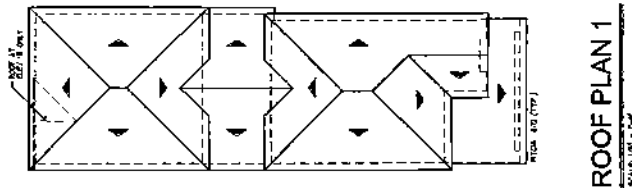
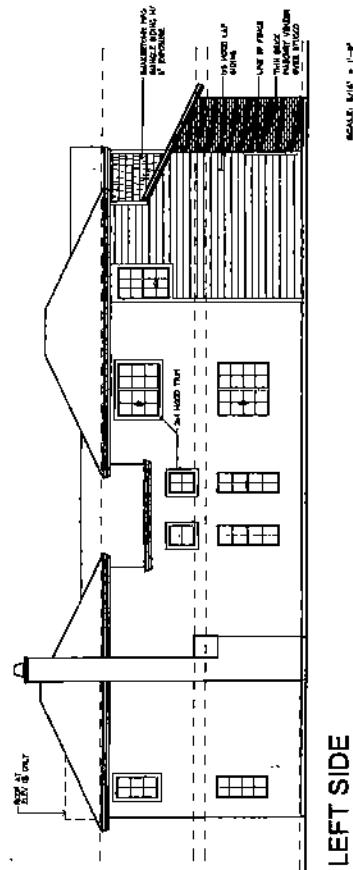
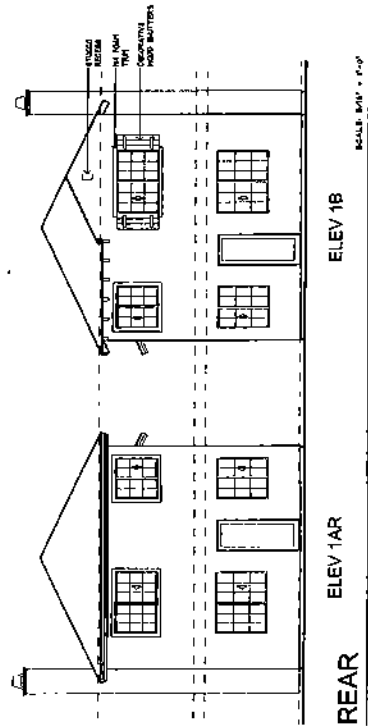
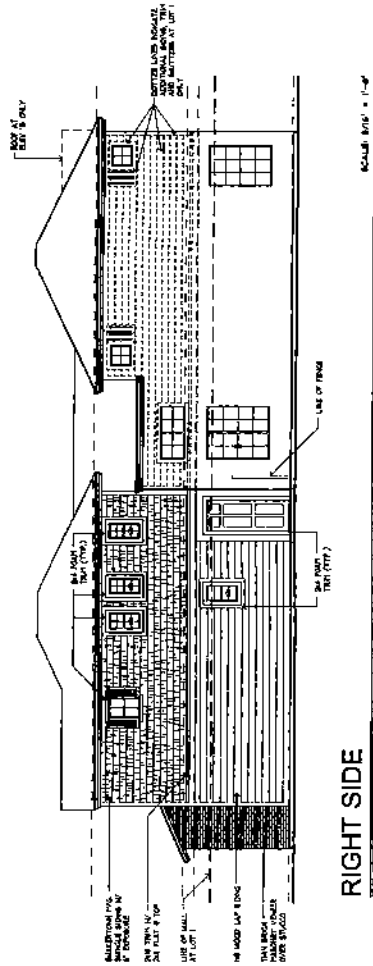
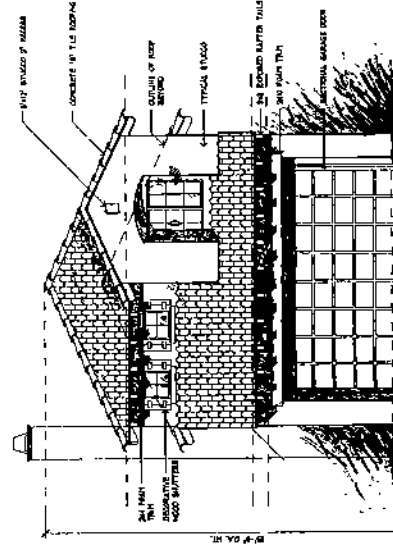
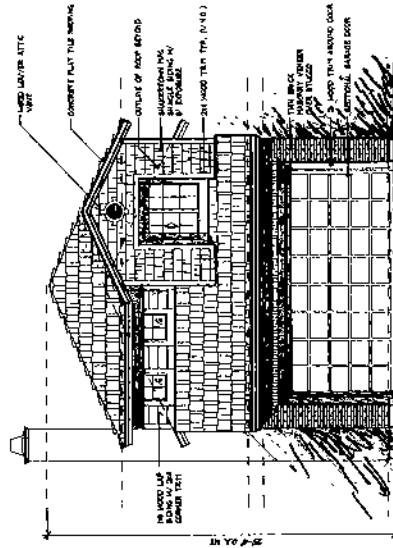


ROOF PLAN 2A

SCALE: 1/8" = 1'-0"



REVISIONS				



FRONT ELEVATION 2A

SCALE: 1/4" = 1'-0"

FRONT ELEVATION 2B

SCALE: 1/4" = 1'-0"

RIGHT SIDE

SCALE: 3/8" = 1'-0"

REAR

SCALE: 3/8" = 1'-0"

LEFT SIDE

SCALE: 3/8" = 1'-0"

**VESTING TENTATIVE
TRACT MAP NO. 16883
CITY OF COSTA MESA,
COUNTY OF ORANGE, CALIFORNIA**

1. 4.8 ACRES, 433-281-07 & 08
2. GROSS AREA, 0.3845 AC. = 100 AC.
3. NET AREA, 38.04 AC. = 0.9 AC.
4. 4.8 AC. + 38.04 AC. = 42.84 AC.
5. EXISTING LAND USE: MIXED COMMER.
6. PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL
7. 38 ACRES FRAMES, 18 COPIED
8. ALL EXISTING STRUCTURES TO BE DEMOLISHED AND SITE TO BE REPAVED & CONCRETE
9. ESTIMATED EARTHWORK, 300 CU YD. 0.05 AC.
10. 1500 CU YD. EARTHWORK, 1 IMPROVED PLS. = 0.60 CU YD. 0.05 AC.

LOT	AREA	CONCRETE	% DRY
1	6,017 SF	1,870 SF	31%
2	3,446 SF	1,882 SF	45%
3	3,658 SF	2,101 SF	43%
7	3,929 SF	2,384 SF	40%
6,9	3,020 SF	1,560 SF	44%

LOT	TO FT
1	1.1600 45
2	1.1600 45
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64	1.1600 45
65	1.1600 45
66	1.1600 45
67	1.1600 45
68	1.1600 45
69	1.1600 45
70	1.1600 45
71	1.1600 45
72	1.1600 45
73	1.1600 45
74	1.1600 45
75	1.1600 45
76	1.1600 45
77	1.1600 45
78	1.1600 45
79	1.1600 45
80	1.1600 45
81	1.1600 45
82	1.1600 45
83	1.1600 45
84	1.1600 45
85	1.1600 45
86	1.1600 45
87	1.1600 45
88	1.1600 45
89	1.1600 45
90	1.1600 45
91	1.1600 45
92	1.1600 45
93	1.1600 45
94	1.1600 45
95	1.1600 45
96	1.1600 45
97	1.1600 45
98	1.1600 45
99	1.1600 45
100	1.1600 45
TOTAL	31.2500 45
AVERAGE LOT	3.1250 45

[illegible]

BLDG AREA	PLAN 1	PLAN 2
1ST FLOOR	1022	470
2ND FLOOR	1046	043
SUB-TOTAL	2070	1032
GARAGE	228	414
TOTAL	2408	2214
PERCH	10	02
S.D.G. HICHT	25.5'	25.5'

PACIFIC N[OR]WEST 2436 L.L.C.
2436 N[OR]WEST BLVD
COSTA MESA, CA 92626
(849) 431-2015

LOT 55 OF TRACT NO 300, IN THE CITY OF COSTA MESA,
COUNTY OF ORANGE, STATE OF CALIFORNIA AS PER
RECORDED IN BOOK 55, PAGES 11 THRU 12, OF MISCELLANEOUS
MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID
COUNTY.

Mr. Jeff Mitchell	Category:
2235 S.W. Avenue, Hialeah, FL 33016 (714) 855-0289	U.S. District Court, S.D. Florida, Miami Division, Room 110 104 Dade County Courthouse (305) 475-7205 (305) 417-7202 (ext.) Fax: (305) 417-7230
Mr. John J. O'Connell	Category:
6002 E. 19th St., Miami Beach, FL 33504 (305) 431-1911 (Ext. 2)	U.S. District Court, S.D. Florida, Miami Division, Room 110 104 Dade County Courthouse (305) 475-7205 (ext. 4) Fax: (305) 475-7230

1985 Recruit-A-Sales
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(415) 631-7179 ext. 1015
(949) 831-1120 (24 hr)
manager@sabnet.sbc.net

VESTING TENTATIVE
TRACT MAP NO. 16883
COSTA MESA, CA

Mr. Al Dixon
14800 Sand Canyon Ave.
San Diego, CA 92171
(619) 451-5500/5195 (h. wd.)
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ATTACHMENT 5